

Bulgaria

Incidence and Nature of Child Labor

Official statistics on the number of working children under the age of 15 years in Bulgaria are unavailable.⁶⁵⁷ Children engage in paid work outside of the home in the commercial and service sectors. Children also work in agriculture, forestry, transportation, communications, construction, and industry.⁶⁵⁸ Children also engage in unpaid work for family businesses or farms, and in their households.⁶⁵⁹

Children are involved in the distribution of drugs and in prostitution, sometimes working with organized crime rings.⁶⁶⁰ Many victims of child prostitution are ethnic Roma children.⁶⁶¹ Bulgaria is a transit country and, to a lesser extent, a country of origin and destination for trafficking in girls for sexual exploitation. Bulgarian citizens are also internally trafficked for sexual exploitation. Victims are primarily trafficked from Ukraine, Romania, Moldova, Russia, and Central Asia through Bulgaria into Western, Southern, and Eastern Europe. Ethnic Roma children are disproportionately represented among victims.⁶⁶²

Education is free and compulsory up to the age of 16 under the National Education Act of 1991, with children typically starting school at the age of 6 or 7.⁶⁶³ In 2001, the gross primary enrollment rate was 99.4 percent, and the net primary enrollment rate was 90.4 percent.⁶⁶⁴ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Bulgaria. Roma children tend to have low attendance and high dropout rates.⁶⁶⁵

⁶⁵⁷ LABORSTAT, 1A- Total and economically active population, by age group (Thousands) [Database], Geneva, 2004; available from <http://laborsta.ilo.org>.

⁶⁵⁸ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Bulgaria*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27830.htm>. See also ILO-IPEC, *Problems of Child Labor in the Conditions of Transition in Bulgaria: Study project*, Sofia, 2000, 31, 32.

⁶⁵⁹ ILO-IPEC, *Problems of Child Labor*, 32, 34, 36. Children of the ethnic Turkish minority face health hazards and perform heavy physical labor on family tobacco farms. See U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 6d.

⁶⁶⁰ According to the Ministry of the Interior, reports indicated there were approximately 550 underage prostitutes in Bulgaria in 2002. See U.S. Department of State, *Country Reports- 2003: Bulgaria*, Sections 5 and 6d. See also ILO-IPEC, *Problems of Child Labor*, 55. These figures rose from 340 reported underage prostitutes in 2001. See U.S. Embassy- Sofia, *unclassified telegram no. 2498*, October 25, 2002.

⁶⁶¹ U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 5.

⁶⁶² No official statistics on trafficking of children are available. See U.S. Department of State, *Trafficking in Persons Report- 2004: Bulgaria*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33188.htm>. See also UNHCHR UNICEF, and OSCE/ODIHR, *Trafficking in Human Beings in Southeastern Europe*, June 2002, 51; available from <http://www.unhcr.ch/women/trafficking.pdf>. See also U.S. Embassy- Sofia, email communication to USDOL official, May 27, 2005.

⁶⁶³ Government of Bulgaria, *National Education Act*, (State Gazette, No. 86/18.10.1991), [cited June 3, 2004], Articles 6 and 7; available from <http://www.bild.net/legislation/>.

⁶⁶⁴ Enrollment rates for boys are similar to enrollment rates for girls. See World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

⁶⁶⁵ ILO-IPEC, *Problems of Child Labor*, 64. See also U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 5. According to the World Bank, Roma school attendance improved from 55 percent in 1995 to 71 percent in 2001; however, experts have estimated

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years. Exceptions in the Labor Code provide that children ages 13 to 16 years may engage in light work and perform certain jobs approved by the government. Children younger than 16 years must undergo a medical examination and have government approval in order to work.⁶⁶⁶ Children under 18 are required to work reduced hours and are prohibited from hazardous, overtime, and night work.⁶⁶⁷ April 2004 amendments to the Penal Code stipulate 6 months imprisonment and a fine for illegally employing a child under 18 years.⁶⁶⁸ The Family Code establishes legal protections for children working in family businesses.⁶⁶⁹ The Child Protection Act prohibits the involvement of children in activities that might harm their development.⁶⁷⁰ The Act was amended in 2003 to strengthen protections for adopted children or children deprived of the care of their families, pursuant to Article 20 of the UN Convention on the Rights of the Child.⁶⁷¹ The Constitution prohibits forced labor.⁶⁷² The Law on Combating Trafficking in Human Beings, which entered into force in January 2004, includes measures for the protection and assistance of child victims of trafficking, and created the National Anti-Trafficking Commission to coordinate and construct policy on trafficking.⁶⁷³ Bulgarian law penalizes trafficking a minor with 2 to 10 years imprisonment and fines. Inducement to prostitution, which is often associated with trafficking, is punishable by 10 to 20 years imprisonment, if the victim was a minor.⁶⁷⁴

The Chief Labor Inspectorate is responsible for enforcing all labor laws, including those covering child labor. As of August 2004, the inspectorate had 440 inspectors, an increase from 271 inspectors in 2002.⁶⁷⁵ According to the U.S. Department of State, child labor laws are generally well enforced in the formal sector.⁶⁷⁶ In 2003, the inspectorate found 226 violations of child labor laws.⁶⁷⁷ In 2004, five regional labor inspectorates identified child labor as a priority.⁶⁷⁸

that between 8 and 9 percent of Romani children have completed secondary education.. See U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁶⁶⁶ *Labour Code Act, as amended*, (2001), Article 301-04; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>.

⁶⁶⁷ *Ibid.*, 137, 40, 47, 303-05.

⁶⁶⁸ The penalty increases to one year imprisonment if the child is under 16 years. See U.S. Embassy- Sofia, *unclassified telegram no. 1616*, August 24, 2004.

⁶⁶⁹ ILO-IPEC, *Problems of Child Labor*, 60.

⁶⁷⁰ *Ibid.*, 58-59.

⁶⁷¹ U.S. Embassy-- Sofia, *unclassified telegram no. 1608*, August 19, 2003. For the text of the convention, see *Convention on the Rights of the Child*; available from <http://www.unhchr.ch/html/menu2/6/crc/treaties/crc.htm>.

⁶⁷² *Constitution of Bulgaria, 1991*, Article 48(4); available from http://www.uni-wuerzburg.de/law/bu00000_.html [hard copy on file].

⁶⁷³ *Law on Combating Trafficking in Human Beings*, (January 1, 2004), Art. 1(a) and 2(a); available from http://www.legislationline.org/data/Trafficking/DOMESTIC_LEGISLATION/bulgaria/Bulgaria_trafficking_law_english.doc.

⁶⁷⁴ U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 6f. See also U.S. Embassy- Sofia, email communication.

⁶⁷⁵ U.S. Embassy- Sofia, *unclassified telegram no. 1616*. See also U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁶⁷⁶ U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 6d.

⁶⁷⁷ U.S. Embassy- Sofia, *unclassified telegram no. 1616*. The number of violations is down from 598 in 2002. See U.S. Embassy-- Sofia, *unclassified telegram no. 1608*.

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bulgaria has adopted a National Action Plan Against the Worst Forms of Child Labor, which aims to eliminate the worst forms of child labor by focusing on such issues as education and new legislation.⁶⁷⁹ Bulgaria also has an Action Plan against Commercial Sexual Exploitation of Children for 2003-2005 and a National Strategy for Children on the Street.⁶⁸⁰

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	4/23/1980	✓
Ratified Convention 182	7/28/2000	✓
ILO-IPEC Associated Member		✓
National Plan for Children		✓
National Child Labor Action Plan		✓
Sector Action Plan (Commercial Sexual Exploitation)		✓

Legislative amendments adopted in 2003 established a Migration Directorate within the Ministry of Interior, which is responsible for administrative control over the stay or removal of foreign nationals.⁶⁸¹ The Ministry of Interior is represented on the National Anti-Trafficking Commission, and two police units, one within the National Border Police and the other within the National Service for Combating Organized Crime, specifically focus on trafficking issues.⁶⁸² IOM supports seven counter-trafficking projects in Bulgaria, and a regional effort on the trafficking of women and children in the Balkans, including Bulgaria.⁶⁸³ A USAID-funded pilot project using education to combat child prostitution and trafficking is being implemented in Bulgaria along the Romanian border.⁶⁸⁴

Several Bulgarian localities established programs integrating children of Roma ethnicity into schools. In order to increase Roma attendance, the government and NGOs provide subsidies for schooling expenses such as school lunches, books, and tuition fees.⁶⁸⁵ With support from USAID, the Government of Bulgaria

⁶⁷⁸ U.S. Embassy- Sofia, *unclassified telegram no. 1616*.

⁶⁷⁹ The Plan was adopted in 2002. See U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁶⁸⁰ U.S. Embassy- Sofia, *unclassified telegram no. 1616*.

⁶⁸¹ Government of Bulgaria, *Report on the Implementation of the National Action Plan for the Adoption of the Schengen Acquis*, Ministry of Interior, March 1, 2004, 12; available from http://www.mvr.bg/mvr-eng/Schengen/ENG_Otchet.htm.

⁶⁸² U.S. Department of State, *Trafficking in Persons Report- 2004: Bulgaria*. The Government of Bulgaria is a member of the Southeast European Cooperative Initiative, and has participated in regional anti-trafficking efforts through the initiative's Regional Center for Combating Transborder Crime. See SECI Regional Center for Combating Transborder Crime, *Operation Mirage: Evaluation Report*, Bucharest, January 21, 2003; available from <http://www.secicenter.org/html/index.htm>. See also SECI Regional Center for Combating Transborder Crime, *SECI Center prepares the new MIRAGE 2004 regional operation*, [online] May 19, 2004 [cited June 2, 2004]; available from <http://www.secicenter.org/html/index.htm>. See also U.S. Embassy- Sofia, email communication.

⁶⁸³ IOM, *Online Project Compendium: Bulgaria*, [online] [cited May 26, 2004]; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=BG1Z009>. See also IOM, *IOM Counter Trafficking Strategy for the Balkans and Neighboring Countries*, January 2001, 2, 4-6 available from http://www.iom.int/en/PDF_Files/other/Balkan_strategy.pdf.

⁶⁸⁴ BEPS, *Combating Human Trafficking: Bulgaria*, [online] [cited May 26, 2004]; available from http://www.beps.net/child_labor/labor_bulgaria.htm.

⁶⁸⁵ U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 5. In April 2003, the Minister of Education issued a decree prohibiting Roma children who are not mentally handicapped from being registered in special schools that serve such children. Some parents reportedly choose to send healthy children to such schools because the schools cover the child's living expenses. See Republic of Bulgaria Council of Ministers Representative, interview with USDOL official, August 21, 2003.

conducts additional ethnic integration efforts.⁶⁸⁶ The government has also provided funding for additional teaching assistants, usually from minority ethnic groups, to be placed in classrooms with Roma and Turkish students.⁶⁸⁷ The World Bank is funding a child welfare reform project in Bulgaria, which aims to prevent child abandonment and identify sub-projects targeting street children.⁶⁸⁸

⁶⁸⁶ U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 5. USAID's 2004 Ethnic Integration program targets Roma and Turkish populations. See USAID, *Complete USAID/Bulgaria Program*, no date, [cited October 28, 2004]; available from http://www.usaid.gov/policy/budget/cbj2005/ee/pdf/bg_cbj_fy05.pdf. For the period 2003-2004, USAID is funding activities for Roma children designed to reduce school-dropout rates. See USAID, *Data Sheet: Bulgaria*, Washington, DC, no date.

⁶⁸⁷ U.S. Department of State, *Country Reports- 2003: Bulgaria*, Section 5. See also U.S. Embassy-- Sofia, *unclassified telegram no. 1608*.

⁶⁸⁸ The project runs through June 2005. See World Bank, *Child Welfare Reform Project*, [online] September 3, 2004 [cited September 3, 2004]; available from <http://www.worldbank.bg/external/default/main?pagePK=64027221&piPK=64027220&theSitePK=305439&menuPK=305471&Projectid=P064536>.